

1 IN THE UNITED STATES DISTRICT COURT  
2 FOR THE WESTERN DISTRICT OF PENNSYLVANIA

3 RAYMOND P. BIELATA,  
4 Plaintiff

5 CIVIL ACTION NO. 05-183 ERIE

6 CRIME VICTIM CENTER OF  
7 ERIE COUNTY, INC. and  
8 SUSANNE POROWSKI,  
9 Defendants

10 SETTLEMENT

11 Proceedings held before the HONORABLE  
12 SEAN J. McLAUGHLIN, U.S. District Judge,  
13 in Judge's Chambers, U.S. Courthouse, Erie,  
14 Pennsylvania, on Thursday, June 1, 2006.  
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18 APPEARANCES:

19 JEFFREY J. COLE, Esquire, appearing on behalf of  
the Plaintiff.

20 LISA SMITH PRESTA, Esquire, appearing on behalf  
21 of the Defendants.

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1 P R O C E E D I N G S

2 (Whereupon, the on the record proceedings began at  
3 1:26 p.m., on Thursday, June 1, 2006, in Judge's Chambers.)

4 THE COURT: The parties have advised me that they  
5 have reached a settlement in this case, conditioned only upon  
6 formal approval by the Board of the defendant. And it's my  
7 understanding that the Board is going to be convened for the  
8 purpose of acting on this settlement in the immediate future.

9 My understanding is that in return for the payment  
10 of \$55,000, the plaintiff agrees to release and forever  
11 discharge the defendant from all claims arising out of this  
12 particular action. Is that acceptable to you, Mr. Bielata?

13 MR. BIELATA: Yes, your Honor.

THE COURT: Is that your understanding as well?

MR. COLE: Yes, it is, your Honor.

THE COURT: On behalf of the defendant, you're  
10 willing to pay the sum of \$55,000, is that right?

11 MS. PRESTA: We are, your Honor, with the inclusion  
12 of the confidentiality agreement that I discussed with Mr.  
13 Cole.

14 MR. COLE: And the standard confidentiality  
15 agreement is that you cannot disclose, well, the fact the  
16 settlement may come up in conversation with his associates,  
17 what happened to the litigation you were involved in? He can

14 say it was resolved to the satisfaction of the parties?

MS. PRESTA: Yes.

15 MR. COLE: He cannot disclose the amount of the  
settlement except to financial and tax advisors and, of course,  
16 your legal advisor, if you have issues about that, you can talk  
to me about it. But others you cannot; is that acceptable to  
17 you?

MR. BIELATA: That is acceptable to me.

18 THE COURT: All right, the only other thing I would  
say is since the settlement here involves a public entity, if  
19 you will, that what you agree to among yourselves, you can  
agree among yourselves in terms of confidentiality, but this  
20 record, as far as I'm concerned is a public record, as far as  
the terms and conditions of the settlement. If anyone, other  
21 than Mr. Bielata, be it an individual from the press or anybody  
else that would want to see or look at it, they'd have a  
22 perfect right to do so.

MS. PRESTA: Just so, your Honor, that's not in any  
23 way connected to either Mr. Bielata or Mr. Cole.

MR. COLE: We wouldn't comment in the news media,  
24 other than to say, if we were asked, I doubt we would be, the  
matter has been resolved to the satisfaction of the parties.

25 THE COURT: What I'm going to do is just in

1 anticipation of what has been represented to me to be Board  
approval, I'm going to administratively close out my case. In  
2 the most unlikely event that something were going to happen  
there such that it wasn't approved, I'd simply reopen the  
3 action and away we go. But I certainly don't anticipate that  
happening. As far as I'm concerned, the case is resolved.

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(Whereupon, at 1:30 p.m., the Settlement proceedings  
5 were concluded.)

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## C E R T I F I C A T E

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I, Ronald J. Bench, certify that the foregoing is a  
10 correct transcript from the record of proceedings in the  
above-entitled matter.

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Ronald J. Bench

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